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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

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JEFF HATCH-MILLER, Chairman
WILLIAM MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
SOUTHLAND SANITATION CO. FOR
DELETION OF PART OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
WASTEWATER SERVICE IN COCHISE
COUNTY.

DOCKET NO. SW-02390A-05-0097

PROCEDURAL ORDER

BY THE COMMISSION:

On February 14, 2005, Southland Sanitation Co. ("Southland" or "Applicant") filed an Application for Deletion of a portion of its Certificate of Convenience and Necessity ("CCN" or "Certificate") with the Arizona Corporation Commission ("Commission").

Pursuant to A.A.C. R14-2-610.C the application was deemed sufficient on March 17, 2005.

Accordingly, pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall be held on **June 16, 2005, at 10:00 a.m.** or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress St., Tucson, Arizona 85701.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **June 1, 2005**.

IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this matter, in the following form and style:

PUBLIC NOTICE OF HEARING ON THE
APPLICATION OF
SOUTHLAND SANITATION CO.
FOR A DELETION OF A PORTION OF ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY
Docket No. SW-02390A-05-0097

1 On February 14, 2005, Southland Sanitation Co. ("Applicant") filed an application
2 with the Arizona Corporation Commission ("Commission") to delete a portion of its
3 service territory under its existing Certificate of Convenience and Necessity to
4 provide wastewater utility service. If the application is granted, Applicant will no
5 longer be the provider of wastewater service to the proposed deletion area, and the
6 Commission will no longer set rates or mandate rules for providing service. Pursuant
7 to the application, wastewater service within the deleted area will be provided by the
8 City of Sierra Vista. The application is available for inspection during regular
9 business hours at the offices of the Commission in Phoenix, at 1200 West
10 Washington Street, Phoenix, Arizona, and Tucson, at 400 West Congress St. Suite
11 218, Tucson, Arizona and at the offices of the Applicant, [APPLICANT INSERT
12 ADDRESS].

13 The Commission will hold a hearing on this matter beginning **June 16, 2005, at**
14 **10:00 a.m.**, at the Commission's offices, Room 222, 400 West Congress Street,
15 Tucson, Arizona. Public comment will be taken on the first day of the hearing.

16 The law provides for an open public hearing at which, under appropriate
17 circumstances, interested persons may intervene in the proceedings and participate as
18 a party. You may have the right to intervene in the proceeding. Intervention will be
19 in accordance with A.A.C. R14-3-405, except that all motions to intervene must be
20 filed on or before **June 1, 2005**. Persons desiring to intervene must file a written
21 motion to intervene with the Commission and send such motion to Applicants or their
22 counsel and to all parties of record. The motion must, at the minimum, contain the
23 following:

- 24 1. The name, address, and telephone number of the proposed intervenor and of
25 any party upon whom service of documents is to be made if different from
26 that of the intervenor.
- 27 2. A short statement of the proposed intervenor's interest in the proceeding (e.g.,
28 a customer or potential customer of the Applicant, a shareholder of the
Applicant, etc.).
- 29 3. A statement certifying that a copy of the motion to intervene has been mailed
30 to the Applicant or its counsel and to all parties of record in the case.

31 The granting of intervention, among other things, entitles a party to present sworn
32 evidence at the hearing and to cross-examine other witnesses. However, failure to
33 intervene will not preclude any interested person or entity from appearing at the
34 hearing and providing public comment on the applications. You will not receive any
35 further notice of this proceeding unless you request it.

36 If you have any questions about these applications, or want further information on
37 intervention, you may contact the Consumer Services Section of the Commission at
38 1200 West Washington Street, Phoenix, Arizona 85007, or call 1-800-222-7000.

39 The Commission does not discriminate on the basis of disability in admission to its
40 public meetings. Persons with a disability may request a reasonable accommodation
41 such as a sign language interpreter, as well as request this document in an alternative
42 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
43 3931, E-mail LHogan@cc.state.az.us. Requests should be made as early as possible
44 to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Applicant shall publish the above notice in a newspaper of general circulation within its service territory and shall mail to each property owner in the requested area to be deleted a copy of this notice by first-class U.S. Mail, to begin as soon as possible and to be completed on or before **April 29, 2005**.

IT IS FURTHER ORDERED that Applicant shall file certifications of mailing and publication as soon as practicable after the mailing and publication have been completed.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and publication, notwithstanding the failure of an individual customer to read or receive the notice.

IT IS FURTHER ORDERED that Staff shall file its Staff Report and associated exhibits to be presented at the hearing on or before **May 18, 2005**.

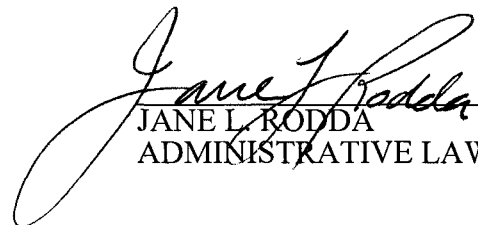
IT IS FURTHER ORDERED that any objection or response by the Applicant to the Staff Report shall be made in writing and filed on or before **June 1, 2005**.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 24th day of March, 2005.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed this 24th day of March, 2005 to:

Sidney Mendelsohn, Jr.
2730 E. Broadway, #100
Tucson, AZ 85716
Attorney for Applicant

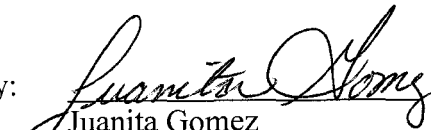
1 Andrew Romo, President
2 Southland Sanitation Co.
3 2730 E. Broadway, #135
4 Tucson, AZ 85716

5 Mr. Christopher Kempley, Chief Counsel
6 Legal Division
7 ARIZONA CORPORATION COMMISSION
8 1200 West Washington Street
9 Phoenix, Arizona 85007

10 Mr. Ernest Johnson, Director
11 Utilities Division
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
14 Phoenix, Arizona 85007

15 ARIZONA REPORTING SERVICE, INC.
16 2627 N. Third Street, Suite Three
17 Phoenix, Arizona 85004-1104

18 By:

19 
20 Juanita Gomez
21 Secretary to Jane L. Rodda
22
23
24
25
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27
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